

Planning Commission Meeting
Regular Meeting, Nolensville Town Hall
May 13, 2004
7:00 p.m.

Members in attendance were as follows: Frank Wilson, Rick Fisher, Willis Wells, Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, Charles Knapper and Rob Pease. Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks and Bill Terry.

Agenda Item I – Meeting called to order by Chairman Willis Wells.

Agenda Item II – Pledge of Allegiance

Agenda Item III – Approval of minutes

Frank Wilson stated that on page 2 number 7 it should read be not by. There was a motion made by Frank Wilson to approve the minutes, seconded by Bob Haines, pass unanimously.

Agenda Item IV – Citizen Comments

Parman Henry of 7323 Nolensville Road stated he objected to the plan of closing off Clovercroft road at the west end. He also stated closing the road will take 200 feet of his road frontage and nothing in return to him. He showed some concerns about getting into the cemetery. He said that if Clovercroft was one way consistently than it would make funeral procession easy to get into the cemetery.

Charles Knapper stated we have the traffic engineers looking into it.

Kristi McArther 88 Dortch Lane wanted to clarify that PUD'S and OSD'S were going to be discussed tonight.

Al Applegate- he is the representative for Nolensville Ebenezer Church stated he would like to reemphasize the closure of Clovercroft Road. He comes from Franklin and he has to make a lot of turns to get to the church. He was also concern about the egress and the safety aspect of the closure.

Carla Ediger 309 Walpole Court stated please forgive our past apathy and give us the opportunity to become involved by placing a moratorium on all future PUD and OSD proposals. Help us operate in an atmosphere of facts, not fear.

Beth Lothers –304 Walpole Court stated a developer of recently approved PUD told me at a meeting how successful McKay's Mill is and how it's the wave of the future. I don't want to criticize someone else's preference but Nolensville has

offered something different.... why would we want to be like the communities we distinguish ourselves from? Maybe it's easier to ribbon sewers in a compact village style development and there are fewer streets to maintain...but is easier always best? I think I owe it to our town's leaders to listen. I want to hear the pros/cons of PUDS and OSD's, and weigh them carefully. I'm asking for the moratorium because I think a lot of us need to be better informed and educated.

Elijah McGee- he is also a member of the Nolensville Ebenezer Church showed some concerns of closing Clovercroft Road to the church. He stated it would make it harder for emergency vehicles to get to the church.

Agenda Item V – New Business

a.) Bellex

Rich Woodroof stated the following changes/ additions/ comments need to be addressed in order to meet the requirements of Nolensville land use regulations.

1. A landscape plan is required.
2. A "C" buffer yard is required along the rear property line that abuts a residential zone. The detention pond is not permitted within the required buffer.
3. The plans need to show the location of all exterior lighting with the intensity in candlepower. Light fixtures should be directed downward and must not be directed toward any residential use.
4. The plans need to show dumpster pad and screening.
5. The plans need to show names of adjacent property owners and the zoning classification of the properties.
6. Provide a color photograph or rendering of the proposed building as viewed from the front and side and rear elevation views to indicate appearance and mass.
7. Screening is required for any detention pond.
8. The plan should show more detail of the parking lot layout and the number of available spaces. The existing building requires 12 parking spaces, and the proposed expansion will require 7 additional spaces.

Mark Baron stated that they are using the existing tree line for screening on the detention pond. He can add additional spaces with the planning commission approval of changing the green space. He discussed the type "C" buffer yard with zoning and will need to redesign the detention pond to fit along the rear property and with disturbing the existing tree line. This will allow existing fence and trees to be maintained and be within the 40 ft. buffer area.

Rich Woodroof recommended that they move the parking around back and make a long narrow detention pond.

Frank Wilson made a motion to approve the plan with the following conditions:

1. Drive area in the rear redesigned to stay outside of the 40' buffer yard
2. Redesign the detention pond and submit calculations for the pond to be located inside the buffer yard and between the existing tree line on the back of the property and the edge of the curbed drive area in the back.
3. Five addition parking spots needed shall be shown in the back parking area.

Larry Garnder seconded the motion. The motion was approved unanimously.

b.) Home Occupational School

Stephanie Fisher 1263 Countryside Road stated she is tutoring children that have ADHD, dyslexia, behavior issue, or just do not feel that they fit in public schools. She is asking for approval of her home occupational school.

Bill Terry stated that the zoning ordinance permits home occupations in the SR zone, and it also permits an accessory day care home. However, there are some limitations on those. The zoning ordinance gives the Planning Commission the authority to review all the request that do not meet the requirement that are spelled out in the home occupation section. Since this does not meet those requirements, it is before the board for consideration. Consideration being the proposal with the education requirement and day care is the appropriate use in the residential zone.

Charles Knapper stated that on the application it states it is a day care. It is not a day care. Is that an incorrect statement?

Stephanie Fisher stated that was an incorrect statement.

Larry Gardner asked our attorney if we should set some limitation of children in the home at one time.

Dave Ausbrook stated that would be a safety issue

Jason Jones stated that by the space that they're in, an occupied space could be determined and a number of maximum students could be set.

Bill Terry stated that once the number is set. She should submit to the planning staff quarterly how many students she has at that time. He also recommends that she submit to a life safety and fire safety code inspection semi-annually.

Charles Knapper made the motion to approve the home occupational school with these conditions:

- 1.) She reports to the Town of Nolensville quarterly how many students she has.

- 2.) She attends a life safety and fire safety course.

Joe Curtsinger seconded the motion. The motion was approved unanimously.

c.) Moore Properties Grading Permit

Harold Delk stated he would like to have approval on grading lots 32 & 33.

Richard Woodroof stated that Mr. Moore is looking into filling these lots with the majority of the lots sitting within the 100-year flood plain. Section 5.5.1.K.8 you may read about filling in the flood plain. Rich stated that he reviewed Mr. Fly's calculations. It appears that when the utility district was built, they filled in the flood plain area. That could be why the calculations show no change in elevation and velocity.

Bob Haines made a motion for approval of grading the sections. James Clark seconded the motion.

Rob Pease asked how much are you planning on filling in?

Harold Delk stated the entire lot proposal is to be filled, except for the detention pond out front and the area in the back.

Larry Gardner asked how many yards are you filling in to get it out of the 100-year flood?

Harold Delk stated the creek elevation is 2,000 yards.

Larry Gardner asked what are you going to do with the water that is forced out of that area?

Mr. Aubrey Fly discussed that the proposed filling shown on the drawing will not cause any change to the flood elevation to Mill Creek, and it will not cause any change in velocity to Mill Creek.

Charles Knapper stated we have a motion to approve the grading permit. If we vote this motion down, they could come back for reconsideration. They could come back at the next Planning Commission Meeting. It will give our counsel time to look over the zoning ordinance, to see what the discrepancies are.

Willis Wells, Frank Wilson, and Rob Pease voted for the motion for the grading permit to be passed. Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, Charles Knapper, and Rick F motion NOT to pass the grading permit. The motion did not pass.

d.) Time line for concepts Plan Approval

Charles Knapper stated the timeline must be adhered to when submitting documents for consideration before the Town of Nolensville Planning Commission. Plans must be submitted twenty-eight days prior to the regularly scheduled Planning Commission meeting. The regular meeting is scheduled for the second Thursday of each month. Once the documents are submitted, staff will review the documents and send out any comments within a week from the submittal date. Once comments from staff are received, the developer/land owner must submit any corrections to the documents by the following Wednesday at 2:00PM.

Charles Knapper made a motion for the concept plans to be presented to the staff twenty-eight days prior to the Planning Commission meeting. Larry Gardner seconded the motion. The motion was approved unanimously.

e.) PUD / OSD Reconsiderations

James Clark made a motion to set the density bonus for the PUD'S/OSD'S to zero percent. Larry Gardner seconded the motion. Charles Knapper voted no. The motion was approved eight to one.

Agenda Item VI- Old Business

a.) Monthly Bond Report

Richard Woodroof stated that McFarlin Woods Section 3 & 4 is due for renewal. He has sent Jeff Fleishur with McFarlin Woods LLC., a

letter stating that they are due for renewal. The renewal date is May 28, 2004, and the amounts will stay the same. Richard also stated that McFarlin Woods Section 1 & 2 would be up for renewal on July 20, 2004. He will also send him a letter for those renewals.

b.) Ordinance Change

1.) Signs

Richard Woodroof stated that the Planning Commission discussed at a meeting before about the changes to the sign ordinance. The proposed changes were:

Changes to Section 1.10.2 Temporary Signs

1. Off-premises or on-premises special event signs (such as those to promote non-profit organizations or those with direct benefit to the community).
7. Agricultural product signs.

Add to 1.10.3.c-Location of Temporary Signs-Temporary signs used for a planned development business shall be attached to the store front, side wall, or a corner unit. Any off-site signage crossing Nolensville Road must receive approval from the Tennessee Department of Transportation.

Add to section 1.10.4- Time Limits

G. Temporary agricultural signs shall be permitted during normal seasonal duration.

H. Business shall be able to use temporary signs to advertise services or products for 14 days each quarter of the year.

Charles Knapper stated in reviewing the ordinance, we discovered it never was voted on.

James Clark made a motion to changes of the sign ordinance and have the limit of number temporary signs on a property to two. Larry Gardner seconded the motion. The motion was approved unanimously.

2.) Storm Water

Richard Woodroof stated that the storm water collection system design storm needed to be added to Appendix F, Roadway and Drainage Regulations and Procedures section of the Subdivision Regulations.

Change the first sentence of IV. Specifications For Materials and Construction Procedures, section A. Drainage (on sheet F-6) to - *The overall drainage of the road or network of roads shall use the 10 year design storm and will be coordinated with, and approved by, the Town Engineer.*

Larry Gardner made a motion to approve the change the first sentence of IV. Specifications For Materials and Construction Procedures, section A. Drainage (on sheet F-6) to - *The overall drainage of the road or network of roads shall use the 10 year design storm and will be coordinated with, and approved by, the Town Engineer.*

Rob Pease seconded the motion. The motion was approved unanimously.

c.) Bent Creek Traffic Control

Mike Delvizio stated that he was asking to discuss the clarification with regards to the design standards. The master plan has been approved. When reviewing the documents we would like some clarification. When we submit graphic design plans in the geometric design for the roads, based on the master plan was approved, we would need your concurrence that the design speed of 25mph and 20mph be met.

Staff recommended approval for a design speed of 25 mph for the main road through the development and all other roads through the development be designed using 20 mph design speed. Larry Gardner made a motion for approval. Bob Haines seconded the motion. The motion was passed unanimously.

Agenda Item VII-Other Business

Charles Knapper stated that the hand out (Proposed Amendments To The Nolensville Zoning Ordinance) be taken home for review. It will be discussed at the next workshop.

Being no further business to come before the Planning Commission, the meeting was adjourned at 9:30 p.m.

Larry Gardner
Secretary for the Planning Commission

Date